

Application No.: 10/006,297

5

Docket No.: 245402003700

REMARKS

Claims 1-8 stand examined and are rejected on various grounds. These objections and rejections are addressed in the appropriate sections below. Claims 1, 3, and 8 are presently amended. According claims 1-8 are currently under consideration. Amendment of certain claims is not to be considered a dedication to the public of any subject matter of the claims as previously presented. No new matter has been added.

In view of the preceding amendments and the remarks made herein, the present application is believed to be in condition for allowance.

Rejections Under 35 U.S.C. § 102(b):

Claims 1-6 and 8 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,309,460 to Fujimaki et al. (Fujimaki) or U.S. Patent No. 5,355,385 to Amano et al. (Amano).

Fujimaki discloses that, "[t]wo leads 12 are provided at both sides of the lead 11 so as to form other external terminal extracting leads. The lead 11 and the adjacent two leads 12 compose a set of leads." (Column 5, lines 11-15.)

Claim 1 has been amended to further recite, "a third lead portion having a first side portion and a second side portion, the first side portion disposed to one side of the second lead portion and the second side portion disposed to another side of the second lead portion." Support for this amendment is found in Figure 1B, which illustrates a third lead portion (element 11) including a first side portion and a second side portion, where the side portions are on different sides of the second lead portion. The third lead portion is also described beginning at the bottom of page 6 and extending to line 4 of page 7.

pa-926904

Application No.: 10/006,297

6

Docket No.: 245402003700

Regarding the disposition of the first and second side portions of the third lead portion, please note that the Applicant's specification includes at least two teachings relating to the third lead portion: (1) that the third lead portion extends from the resin portion on the same side as the second lead portion and (2) that the third lead portion "extends along second lead portion 8 on both sides." (Page 7, Lines 2-3) Teaching 2 is directed to an embodiment where the third lead portion has a first side portion on one side of the second lead portion and a second side portion on another side of the second lead portion. The amendment to claim 1 thus reflects this second teaching.

Even if the "two leads 12" of Fujimaki were considered to be separate leads, Fujimaki still does not disclose all the limitations of presently amended claim 1, which recites in part, "a second lead portion for an electrode" and "a third lead portion having a first side portion and a second side portion, the first side portion disposed to one side of the second lead portion and the second side portion disposed to another side of the second lead portion." The alleged third lead of Fujimaki could not be said to have a first side portion disposed to one side of the second lead portion and a second portion disposed to another side of the second lead portion. Amano and Kitamura do not teach or suggest this limitation of claim 1 either. Therefore, the Applicant respectfully requests that the Examiner withdraw the rejection and allow claim 1.

Because claims 2-6 depend from claim 1, and thereby include all the limitations of claim 1, claims 2-6 are also patentable in light of the above amendment. The Applicant respectfully requests that the Examiner withdraw the rejections against claims 2-6 and allow these claims to issue.

Claim 8 has been amended substantially as claim 1 was amended. Claim 8 now recites in part, "a third lead portion for heat radiation having a first side portion disposed to one side of said second lead portion and a second side portion disposed to another side of said second lead portion." As discussed above, this third lead portion having a first side portion and a second side portion is

pa-926904

Application No.: 10/006,297

7

Docket No.: 245402003700

not taught or suggested by Amano, Fujimaki, and Kitamura separately or in combination. Applicant respectfully requests that the Examiner withdraw the rejection and allow claim 8.

Rejections Under 35 U.S.C. § 103(a):

Claim 7 stands rejected under 35 U.S.C. § 103 as being allegedly obvious over Fujimaki in view of U.S. Patent No. 5,485,479 to Kitamura et al. (Kitamura herein).

Because claim 7 incorporates the limitations of presently amended claim 1, claim 7 is not obvious in light of any combination of Amano, Kitamura, and Fujimaki at least because none of these references teach "a third lead portion having a first side portion and a second side portion, the first side portion disposed to one side of the second lead portion and the second side portion disposed to another side of the second lead portion." This amendment therefore overcomes this rejection of claim 7. Applicant respectfully requests that the Examiner withdraw this rejection and allow claim 7.

Other Amendments

The limitation directed to the extension of the second and third lead portions from the resin portion was amended to better reflect the meaning of the limitation. For instance, claim 8 now recites, "second and third lead portions extend from said resin portion on a same side of said resin portion." This amendment is not narrowing, but rather better states the scope of the limitation than the unamended limitation.

pa-926904

Application No.: 10/006,297

8

Docket No.: 245402003700

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 245402003700. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: October 13, 2004

Respectfully submitted,

By 

Michael S. Garrabrants

Registration No.: 51,230

MORRISON & FOERSTER LLP

755 Page Mill Road

Palo Alto, California 94304

(650) 813-5856

pa-926904